



U.S. Department of Justice

United States Attorney
Southern District of New York

*The Silvio J. Mollo Building
One Saint Andrew's Plaza
New York, New York 10007*

February 2, 2021

BY ECF

The Honorable Paul A. Engelmayer
United States District Judge
Southern District of New York
40 Foley Square
New York, NY 10007

Re: United States v. Jason Nissen, 17 Cr. 477 (PAE)

Dear Judge Engelmayer:

The Government respectfully submits this letter and the enclosed draft order effecting the interlocutory sale of 82 Woodhollow Road, Roslyn Heights, New York 11557 in response to the Court's Order dated January 19, 2021 directing the Government to submit a draft order after consulting with counsel for petitioners Credit Cash NJ LLC ("Credit Cash") and Entrepreneur Growth Capital LLC's ("EGC"), the defendant, and Haydee Nissen. (Dkt. 128). The Government has been in communication with counsel as directed about the proposed order. As noted in the Government's letter dated January 25, 2021, the parties were trying to resolve disagreements regarding the process for the sale of the property to be described in the draft order. The Government has continued to confer with counsel, but the parties have not been able to reach agreement. The Government understands that counsel for Credit Cash and EGC consents to the proposed draft order, while counsel for Jason and Haydee Nissen does not. The Government understands that David H. Wander, counsel for the Nissens, objects to the timing of the sale of the property and the payments Haydee Nissen is required to make pursuant to the Court's January 19, 2021 Order. Mr. Wander has requested that the Government include in this letter Mr. Wander's request to the Court that he be given until Friday to file a response to the proposed order. The Government and counsel for Credit Cash and EGC do not object.

Respectfully submitted,

AUDREY STRAUSS
United States Attorney
for the Southern District
of New York

Counsel for the Nissens is directed to file a response to the Government's proposed order by February 5, 2021, at 5:00 pm. SO ORDERED.

A handwritten signature in blue ink that reads "Paul A. Engelmayer".

PAUL A. ENGELMAYER
United States District Judge
2/3/2021